

REMARKS

Claims 50 and 57 stand rejected under 35 U.S.C. 102(e) as being anticipated by Akimoto et al. (US 6,329,973). Applicants respectfully traverse this rejection because the cited reference does not disclose (or suggest) a liquid crystal display device having either of hold control or impulse control for a display image shown with all of the pixel electrodes, as recited in claim 50 of the present invention, as amended. Applicants submit that this claim has been amended for grammatical purposes only.

As previously discussed, Akimoto fails to teach or suggest that either of its moving picture or still picture is shown with all pixel electrodes. On page 3 of the outstanding Office Action (Paper No. 18), the Examiner mischaracterizes this plainly recited feature of the present invention. Instead of considering a “display image shown with all pixel electrodes,” as recited in claim 50, the Examiner appears to add his own limitation to the claim, namely, still/moving image “displayed by all the pixel electrodes in its areas (sic).” (Emphasis added). The Examiner’s interpretation of claim 50 therefore, is very different from what claim 50 actually recites.

An image shown with all pixel electrodes of a display device is different than an image shown with only a few pixels in one area of the device. As discussed in Amendment C, filed November 3, 2003, Akimoto fails to show either of a moving or still display image shown with all pixel electrodes of the display device and, in fact, Fig. 3 of Akimoto (cited by the Examiner as support) actually teaches the opposite.

The Examiner is correct that Fig. 3 of Akimoto shows both a still image and a moving image displayed with “all the pixel electrodes in [their respective] areas,” but incorrect in asserting that such an interpretation applies to the plain language of claim 50 of the present invention. Fig. 3 of Akimoto clearly requires both the still and moving images to be shown with only a portion of the pixel electrodes of the display device. The present invention, on the other hand, specifically features that hold and impulse controls are respectively carried out when the display image is shown with all of the pixel electrodes of the device, and not only the pixel electrodes “in the area” of the image.

It is therefore inappropriate of the Examiner to effectively rewrite claim 50 of the present invention to include an additional limitation that is not recited in the claims, or otherwise required by the Specification to the present Application. By featuring that one of the still and moving images is shown with all pixel electrodes, the present invention therefore necessarily excludes the other image from being shown at the same time when the respective hold or impulse control is carried out. Akimoto, however, clearly shows in Fig. 3 both types of images being shown at the same time, on the same display. For at least these reasons, the Section 102 rejection of claim 50 (and its dependent claim 57) is again respectfully traversed.

The Examiner’s misinterpretation of the plain language from claim 50 is further illustrated by his comments on page 9 of Paper No. 18 (“Response to Arguments”). The Examiner rejects Applicants’ previous arguments from Amendment C, that hold and impulse control are not carried out at the same time in the present invention, as being a

“limitation [that is] not recited in the claims.” Applicants respectfully point out, however, that the argument cited by the Examiner was actually a paraphrasing of claim language that is recited in claim 50, and that the actual argument began with the phrase “In other words” The features of claim 50 that were paraphrased were those discussed above, namely, that the respective controls are carried out when the respective display image is shown with all pixel electrodes.

Again, as discussed above, when the display image at issue is shown with all of the pixel electrodes of the device, the other type of image is necessarily excluded from being displayed (all of the pixels being otherwise utilized). It is therefore an entirely reasonable inference to make from the plain claim language that two types of images cannot be shown at the same time when the respective control is carried out. Applicants therefore incorporate those arguments presented on pages 37 through 42 of Amendment C by reference herein, and respectfully ask the Examiner to reconsider and withdraw the outstanding rejections in light of the actual language of claim 50 of the present invention, language which necessarily conflicts with the Examiner’s alternative interpretation of the claim. Applicants further submit that the other features of claim 50 that were previously argued also become more clearly distinguishable over Akimoto in light of the actual claim language from claim 50.

Claims 51-52 and 58 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Akimoto in view of Matsuzaki et al. (US 5,644,332). Claim 53 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Akimoto in view of Numao (US 5,103,328). Claims 55-56 stand rejected under 35 U.S.C. 103(a) as being unpatentable over

Akimoto in view of Terasaki (US 5,844,540). Claim 60 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Akimoto in view of Kamikura et al. (US 6,266,370). Applicants respectfully traverse all of these rejections for at least the reasons discussed above, and argued previously. All of these rejected claims depend either directly or indirectly from independent claim 50 of the present invention, and therefore include all of the features of the base claim, plus additional features. Applicants submit therefore, that all of these claims should be in condition for allowance for at least the reasons discussed in traversing the rejection of claim 50 based on Akimoto alone.

With respect to claims 51, 58, and 60 in particular, however, Applicants respectfully traverse the obviousness rejections because none of the cited references, whether taken alone or in combination, disclose or suggest to switch the hold control to impulse control (or vice versa) according to the ratio of the moving image to all of the display data (claim 51), the ratio of pixels of the display image in one frame in comparison to pixels in an immediately preceding frame (claim 58), or when compressed image information includes vector information indicating image motion (claim 60). In fact, as previously discussed, Akimoto (as well as all of the other cited references) fails to teach or suggest anything about switching one of the hold control and impulse control to the other based on any of the recited parameters from these claims.

Applicants note that, in his "Response to Arguments," the Examiner did not address any of the meritorious arguments presented in Amendment C traversing the rejection of these three claims specifically. Section 707.07(f) of the MPEP places a burden on the

Examiner to answer such meritorious arguments before repeating the same rejection in a subsequent Office Action. In the present case, however, the Examiner has repeated the same rejection with respect to these claims, but without having first answered any of the arguments directed toward the specific patentability of these claims. For at least these additional reasons therefore, the specific rejections of claims 51, 58, and 60 should also be withdrawn.

The rejection of these claims should also be withdrawn according to Section 2143.03 of the MPEP. Section 2143.03 requires of the Examiner, when attempting to establish a *prima facie* case of obviousness against a claimed invention, to first establish where in the cited prior art of record may be found all of the claimed features and limitations of the claims at issue. In the present case, however, the Examiner has not satisfied this requirement with respect to these three claims.

All three of these claims feature a switching from hold control to impulse control when one of three respective parameters is satisfied. The respective parameters are the two different recited comparison ratios in claims 51 and 58, and the certain type of recited included information in claim 60. To date, the Examiner has not cited to where in the prior art of record all of these claimed features may be found, as he is required to do so.

With respect to claims 51 and 58, the Examiner admits Akimoto fails to teach or suggest such recited features, and cites only Matsuzaki for such support. Matsuzaki, however, also fails to teach or suggest all of the claimed features. The Examiner's cited portion from Matsuzaki (col. 8, lines 13-17) merely teaches that a scrolled display mode is

“detected” when the number of scan lines on the screen equals one value and the counter exceeds another value. This *detection* (passive measurement) of the display mode, however, is not the same as a switch (active control) from one mode to the other. Furthermore, neither of the values (counter and number of scan lines) taught by Matsuzaki is a ratio or comparison of two different parameters. Therefore, because both of claims 51 and 58 recite both an active switching, and that such switching is based upon a ratio of two different parameters, the Section 103 rejection of these claims should be withdrawn for at least these additional reasons as well.

The rejection of claim 60 should also be withdrawn for similar reasons. Like claims 51 and 58, claim 60 also recites a switching from hold control to impulse control, but based upon vector information indicating image motion being included in the compressed image information. As discussed above, the Examiner admits that Akimoto fails to teach or suggest the switching. The only other reference cited against claim 60 – Kamikura – is cited only for teaching Discrete Cosine Transform and vector information. The Examiner, however, has not even asserted that Kamikura teaches or suggests the recited switching from claim 60, or that such a switching is based upon the parameters also recited. As such, the Examiner has failed to even assert a *prima facie* case of obviousness against the present invention, and should therefore withdraw the outstanding Section 103 rejection of this claim for at least these reasons as well.

New claims 114 and 115 have been added to recite other combinations of features of the present invention. Applicants submit that these new claims are also allowable

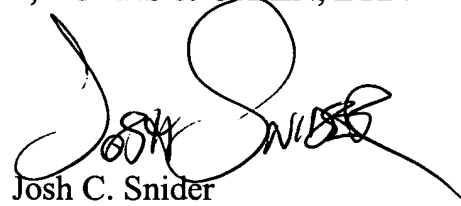
over the prior art of record, the Akimoto reference in particular, and for at least the reasons discussed above in relation to independent claim 50, which recites some similar patentably distinct features. Consideration on the merits and allowance of new claims 114 and 115 are respectfully requested.

For all of the foregoing reasons, Applicants submit that this Application, including claims 50-58, 60, and 114-115, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned Attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By

A handwritten signature in black ink, appearing to read "Josh C. Snider", is written over the printed name.

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